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2138 RAYBURN HOUSE OFFICE BUILDING

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October 27, 2004

The Honorable Scott J. Bloch
Special Counsel
U.S. Office of Special Counsel
1730 M Street, NW, Suite 300
Washington, DC 20036-4505

Dear Mr. Bloch:

I am writing to ask that the Office of Special Counsel investigate potential Hatch Act violations by U.S. Department of Agriculture officials. According to recent reports, Department officials have traveled to battleground states to deliver farm policy-related and campaign-related remarks in the same speech. The Hatch Act prohibits the Administration from billing taxpayers for campaign-related expenses, and it appears the Administration may be combining official and political content to skirt that rule.

The Hatch Act states that Senate-confirmed political appointees "may engage in political activity otherwise prohibited . . . if the costs associated with that political activity *are not paid for by money derived from the Treasury of the United States.*"¹ Officials who violate this prohibition are subject to removal from their positions.²

Unfortunately, Agriculture Secretary Ann Veneman and Agriculture Under Secretary William Thomas Hawks, both Senate-confirmed appointees, are traveling to politically-contested farm states to speak about farm policy and the campaign.³ For instance, Mr. Hawks spoke to dairy farmers in Maine about an animal identification system, likely at taxpayer expense; this would be legal had he not proceeded to state his opinion that President Bush is a good candidate for farmers and that Democratic presidential nominee John Kerry is anti-agriculture. He

¹5 U.S.C. § 7324 (emphasis added).

²*Id.* § 7326.

³Andrew Martin, *Bush's Cabinet Sweeps Key States Prior to Nov. 2*, CHICAGO TRIB., Oct. 27, 2004, at C22.

The Honorable Scott J. Bloch

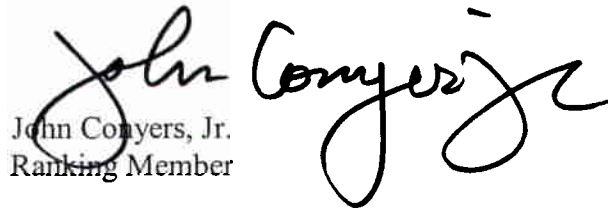
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delivered a similar, official-political speech in North Dakota. For her part, Ms. Veneman made eighteen trips in the past three months, including twelve to battleground states, but made only nine such trips in the same period last year. Again, Administration officials cross the line when they engage in combined official and political activity and expect taxpayers to pay their way.

I look forward to whether the Office of Special Counsel will investigate this potentially illegal conduct. Please reply through Perry Apelbaum or Ted Kalo of my Judiciary Committee staff at 2142 Rayburn House Office Building, Washington, DC 20515 (tel: 202-225-6504; fax: 202-225-4423).

Sincerely,


John Conyers, Jr.
Ranking Member

cc: The Honorable F. James Sensenbrenner, Jr.
Chairman
U.S. House Comm. on the Judiciary